

Getting Involved in Campaigns for Political Office

Any person can get involved in the election of candidates for political office. Please make sure that you:

- stay within the contribution limits for the candidate;
- file a financial report with the Ethics Commission if you make an “independent expenditure” over \$100 per candidate; and
- include the “paid for” disclosure on communications mentioning candidates, if required.

This material is intended to be a guide only and not a replacement for the law. Persons with questions are encouraged to contact the Commission staff prior to taking action or review the law.

“Paid For” Disclosure

Any communication which expressly advocates the election or defeat of a candidate must contain a disclosure statement. The statement also is required if the communication names or depicts a candidate and is distributed to voters during the 21 days before an election.

If the communication was made independently of the candidate, it must indicate that the communication was not paid for or authorized by any candidate (this must be in bold Times New Roman font no smaller than 10-point) and the name and address of the person who paid for the communication. The Commission suggests the following format:

Paid for by Mainers for Lobster, 28 Lighthouse Way, Augusta, ME. **NOT PAID FOR OR AUTHORIZED BY ANY CANDIDATE.**

A disclosure statement is not required on small items, such as balloons and buttons. Contact the Commission for a complete list.

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Maine Ethics Commission



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2006

Contributing Cash

You may give up to \$500 to a candidate for Governor and up to \$250 to candidates for the Legislature or county office per election. The primary and general elections are considered separate elections. The same limits apply to candidates for municipal office in towns and cities with more than 15,000 residents. You may not make a contribution to a Maine Clean Election Act candidate.

There are no limits on cash contributions to political action committees (PACs) and political party committees. However, you cannot tell those organizations to contribute those funds directly to a particular candidate.

You can ask PACs and party committees to spend your contribution on a communication (e.g., a newspaper ad or TV commercial) to support a candidate. It would not be a contribution to the candidate, provided that they spend the money independently of that candidate, *i.e.*, without any coordination, cooperation, or consultation with the candidate.

Affiliated businesses may be considered a single contributor if they share common owners, officers, or directors.

Contributing Goods & Services

You may donate goods or services you have paid for to a candidate, PAC, or party committee. This is called an in-kind contribution and counts toward the \$250 and \$500 contribution limitations for candidates. The amount of the contribution is the fair market value of the goods or services.

If you give a discount to a candidate, PAC, or party committee on goods or services, that is also an in-kind contribution. The amount of the contribution is the difference between the fair market value and the amount charged for the goods and services.

To avoid making a contribution inadvertently, make sure you are reimbursed for the fair market value of the goods and services.

Disclosure of Contributions

Candidates and PACs must report the name of any contributor who gives more than a total of \$50 per election. Parties must report the name of any contributor giving more than \$200. They must also disclose the contributor's address, employer, and occupation, so please provide this information when making the contribution.

It is illegal to make a contribution in the name of another, to allow your name to be used for a contribution you didn't make, or for someone to accept a contribution that was made in the name of another.

Volunteering and Contributing Employees' Time

Volunteering personal time to a candidate, PAC, or party committee is not a contribution, even if the volunteer provides legal, accounting, or other specialized services to a candidate, PAC, or party committee.

A business owner is free to volunteer his or her personal time, and may encourage employees to volunteer for a candidate or organization on their personal time. Contributing an employee's labor on company time, however, is a contribution.

Other Activities Which Are Not Contributions

There are other ways you can support a candidate without it counting as a contribution:

If you and other supporters of a candidate host or volunteer at a house party, each of you may spend up to \$100 per election on invitations, food, and beverages. Putting a sign on your property is not a contribution as long as you don't usually charge for displaying signs, for example, on a billboard or marquee.

You or your business may donate the use of offices, telephones, computers, or similar office equipment to a candidate if it does not result in an additional cost to you. If there is an additional cost, it is a contribution unless reimbursed by the candidate.

Any activities or communications which are designed to encourage individuals to vote or to register to vote are not a contribution if they do not mention a clearly identified candidate.

Making Independent Expenditures

You may spend as much as you like on campaign communications in support of a candidate as long as it is done independently of the candidate, *i.e.*, without any coordination, cooperation, or consultation with the candidate. This is called an "independent expenditure."

An independent expenditure (IE) is any expenditure for a communication that expressly advocates the election or defeat of a clearly identified candidate, if made independently of the candidate. If the expenditure is made in cooperation or consultation with a candidate or his or her campaign, it is considered an in-kind contribution to the campaign and must be reported by the candidate as a contribution.

Independent Expenditures During the Last 21 Days of an Election

Also, any communication that names or depicts a clearly identified candidate and that is distributed to voters within the last 21 days before an election (October 18 to November 7) in races involving a Maine Clean Election Act candidate is presumed to be an IE. This presumption applies even if the communication contains no express advocacy.

You must file a financial report with the Commission if you make an IE of more than \$100 on behalf of a candidate per election. If you spend more than \$250 on behalf of a candidate per election, you may have to file the report within 24 hours of making the expenditure. The report must contain a notarized statement that you made the expenditure independently of the candidate.

For more information about independent expenditures, please read the Commission's brochure, *Independent Expenditure Reports 2006*, or visit the Commission's website, or call the Commission's office for help with your questions.